

REMARKS

Claims 1-8, 12-16, 18-20, and 22-31 are pending in this application.

All pending claims are rejected.

Claims 5-8, 15, 24 and 25 have been amended and claims 22 and 23 have been canceled.

Applicant thanks the examiner for the courtesies extended to Applicant's attorney, Won-Joon Kouh (Reg. No. 42,763), during the telephonic interview held on January 17, 2007. During the interview the rejections of claims 1 and 15 were discussed. Applicant's attorney presented arguments that the rejection of claim 1 under 35 U.S.C. § 103(a) based on the references cited by the examiner, Kajander and Tutin, is improper because there has not been a proper showing of motivation to modify the high density product of Kajander to the substantially lower density range claimed. Furthermore, Applicant's attorney presented arguments that the rejection of claim 15 under 35 U.S.C. § 103(a) based on Kajander and Jaffee is improper because in addition to the deficiencies of Kajander, Jaffee does not teach providing plastic coated mineral fibers as the bonding fibers. As noted in the examiner's Interview Summary, mailed on January 22, 2007, the examiner agreed that these arguments overcome the rejection of record in the Office Action. However, the examiner did not allow the claims because she believes that the Zeng reference (WO 01/31131) that was submitted in an Information Disclosure Statement filed on July 13, 2006 appears to be closer prior art but has not yet been considered in this case.

For the reasons presented below, Applicant believes that the amendments submitted herewith overcome the objections raised in the Office Action. Furthermore, for the reasons presented below, Applicant believes that the pending claims are allowable over the references cited in the Office Action as well as the Zeng reference.

Claim Objections

The examiner objects to claims 5-8 under 37 C.F.R. § 1.75(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim. Specifically, the examiner objects to the recitation of "said textile glass fibers" in claims 5-8 while they depend from claim 3 which recites "virgin textile glass fibers."

In response, claims 5-8 have been amended to now recite "said virgin textile glass fibers" consistent with claim 3. Withdrawal of this objection is kindly requested.

Claim Rejections under 35 U.S.C. § 112

The examiner rejects claims 5-8, 22 and 23 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With respect to claims 5-8, the basis for the examiner's rejection is the recitation of "said textile glass fibers" while the parent claim 3 is drawn to "virgin textile glass fibers." The amendments to claims 5-8 discussed above make this rejection moot. With respect to claims 22 and 23, their rejection is also moot because they have been canceled. Withdrawal of these rejections is kindly requested.

Claim Rejections under 35 U.S.C. § 103

The examiner rejects claims 1-8, 12-14, 16, 18-20, 22, 23 and 26-31 under 35 U.S.C. § 103(a) as being unpatentable over Kajander (US 2003/0008586) in view of Tutin (US 2004/0038017) and the admitted prior art as set forth in paragraph [0004] of the present specification. For the reasons provided below, this rejection is traversed.

As summarized above and noted in the examiner's Interview Summary, claim 1 is distinguishable over the cited references Kajander and Tutin because there is no motivation within the teachings of the two references to modify the high density product of Kajander to that of the substantially lower density product claimed. The product of Kajander is a nonwoven mat for reinforcing wood or wood product laminates. (See Kajander at for example, Abstract and paragraphs [0002].)

Claims 2-8, 12-14, 16, 18-20, 22, 23 and 26-31 depend from claim 1, which is distinguishable over the cited references. Therefore, these dependent claims are also distinguishable over the cited references.

Withdrawal of the rejection of claims 1-8, 12-14, 16, 18-20, 22, 23 and 26-31 as being obvious over Kajander in view of Tutin is kindly requested.

The examiner also rejects claims 15, 24, and 25 under 35 U.S.C. § 103(a) as being unpatentable over Kajander in view of Jaffee (US 2004/0266304). For the reasons provided below, this rejection is traversed.

Claims 15, 24 and 25 depend from claim 1 and, thus, incorporate all limitations of claim 1. As discussed above in reference to claim 1, the Kajander reference, among other things, fails to disclose the density range recited in claim 1. Jaffee, which teaches a nonwoven fibrous mat used as a facing for a gypsum board, is silent as to the density of the non-woven fibrous mat disclosed therein. Therefore, between the teachings of Kajander and Jaffee, there is no motivation, teachings or suggestion to modify the high density product of Kajander to the density range claimed in claim 1. Furthermore, the non-woven fibrous mat of Jaffee is made with an aqueous resinous binder rather than plastic-containing bonding fibers as required by claim 1. (See Jaffee at paragraph [0033] listing suitable resinous binders.) The aqueous resinous binder solution is applied using a curtain coater or a dip and squeeze applicator during the wet-laid process of making the non-woven fibrous mat. (See Jaffee at paragraphs [0041]-[0042].) Thus, Jaffee's teachings, even if they could be validly combined with the teachings of Kajander, do not cure the deficiency of Kajander.

Furthermore, with respect to claim 15, Applicant reiterates the argument that Jaffee does not teach non-woven mat comprising a binder of plastic coated mineral fibers as contended by the examiner in the Office Action. Jaffee only teaches an aqueous resinous binder. (Jaffee at paragraphs [0033] and [0042].)

Accordingly, the combination of Kajander and Jaffee can not obviate the claims 15, 24 and 25 because the combination of Kajander and Jaffee does not disclose the invention claimed in their parent claim, claim 1. Withdrawal of the rejection of claims 15, 24, and 25 is kindly requested.

Amendments to Claims 24 and 25

Claims 24 and 25 have been amended to delete extraneous words "at least" that were not properly deleted in the previous amendment.

CONCLUSION

Applicant believes that the pending claims as amended are distinguishable over the references cited in the Office Action. Reconsideration of the present application, withdrawal of the rejections and allowance of the pending claims are kindly requested. Should the examiner disagree with the Applicants' position, a telephone interview is respectfully requested to discuss any remaining issues and expedite the eventual allowance of the application.

This paper is being submitted within the shortened statutory period and no additional fee is

believed due. If a fee is required, however, the Commissioner is hereby authorized to charge it to Duane Morris Deposit Account No. 04-1679.

Respectfully submitted,

Date: February 5, 2007

/Won Joon Kouh/

Reg. No. 42,763
Attorney for Applicant
(609) 631-2435

PTO Customer No. 08933
DUANE MORRIS LLP